IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

**CHARLESTON DIVISION** 

IN RE: ETHICON, INC.

PELVIC REPAIR SYSTEM

PRODUCTS LIABILITY LITIGATION

MDL NO. 2327

THIS DOCUMENT RELATES TO:

HEDWIG COUSOULIS,

Plaintiff,

v.

Civil Action No. 2:19-cv-00378 Judge Goodwin

ETHICON, INC. and JOHNSON & JOHNSON,

Defendants.

## **MEMORANDUM OPINION AND ORDER**

On May 13, 2019, the plaintiff directly filed a Short Form Complaint in this court despite Pretrial Order ("PTO") # 304 ordering that "plaintiffs may no longer direct file claims against Ethicon, Inc. or Johnson & Johnson or any related entities in the Ethicon MDL (as set forth in PTO # 118) or in any other pelvic mesh MDL assigned to the court[.]" *See In re: Ethicon, Inc. Pelvic Repair Sys. Prods. Liab. Litig.*, 2:12-md-2327 ("MDL 2327") filed on June 21, 2018 [ECF # 6033]. On June 19, 2018 the Judicial Panel on Multidistrict Litigation entered a Minute Order Suspending Rule 7.1(a), requiring notification to the Clerk of the Panel of potential tag-along actions. *Id* at ECF # 6031. Both orders effectively disallow the direct filing or transfer of any new actions in MDL 2327. If plaintiff wishes to proceed, she must file the action in the appropriate jurisdiction.

The court **ORDERS** that this civil action be **DISMISSED WITHOUT PREJUDICE** and **STRICKEN** from the docket.

The court **DIRECTS** the Clerk to send a copy of this Order to counsel of record and any unrepresented party.

ENTER: May 15, 2019

JOSEPH R. GOODWIN

UNITED STATES DISTRICT JUDGE